

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: ORAL PHENYLEPHRINE MARKETING
AND SALES PRACTICES LITIGATION

Case No: 1:23-md-3089-BMC

Hon. Brian M. Cogan

MOTION FOR ADMISSION *PRO HAC VICE*
OF DAVID P. MILIAN

Pursuant to Rule 1.3(c) of the local Rules of the United States Courts for the Eastern District of New York, I, David P. Milian, hereby move for an Order for admission to practice *Pro Hac Vice* to appear as counsel in these proceedings, to argue or try this case in whole or in part as counsel for Plaintiff Jay Valinsky (transferred from: *Jay Valinsky, Plaintiff, v. Johnson & Johnson Consumer, Inc., and Publix Supermarkets, Inc.*, Defendants, Case No. 9:23-cv-81574-DMM (S.D.FL)).

I am in good standing of the State Bar of Florida and there are no pending disciplinary proceedings against me in any state or federal court. I have never been convicted of a felony. I have never been censured, suspended, disbarred, or denied admission or readmission by any court. I have attached my Declaration Under Penalty of Perjury, pursuant to 28 U.S.C. 1746, required by Local Rule 1.3(c). See Declaration of David P. Milian in Support of Admission Pro Hac Vice, filed concurrently; see also, **Exhibit A** (Certificate of Good Standing from The Florida Bar).

THE MILIAN LEGAL GROUP, P.A.

By: /s/ David P. Milian

David P. Milian, Esq. (Fla. Bar No. 844421)

Email: david@lawmilian.com

Secondary: elizabeth@milianlaw.com

Secondary: DavidMilian@Milian-legal.com

1395 Brickell Avenue, Suite 800

Miami, FL 33131

Tel: (786) 808-9736

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 30, 2024, a true and correct copy of the foregoing was filed with the Clerk of Court using CM/ECF system which will send notification of such filing to all counsel of record.

/s/ David P. Milian

David P. Milian

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE: ORAL PHENYLEPHRINE MARKETING
AND SALES PRACTICES LITIGATION

Case No: 1:23-md-3089-BMC

Hon. Brian M. Cogan

**DECLARATION UNDER PENALTY OF PERJURY
OF DAVID P. MILIAN IN SUPPORT OF MOTION
FOR ADMISSION *PRO HAC VICE***

I, David Philip Milian hereby states under penalty of perjury pursuant to 28 U.S.C. 1746 as follows:

1. I am a Partner in the law firm The Milian Legal Group, PLLC.
2. I submit this Declaration in support of my motion for admission pro hac vice in the above captioned matter on behalf of Plaintiff Jay Valinsky.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Florida.
4. There are no pending disciplinary proceedings against me in any state or federal court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred, or denied admission or readmission by any court.
7. My Florida Bar Number is 844421.

Wherefore, I hereby submit that I am permitted to appear as counsel pro hac vice in Case No. 1:23-MD-03089-BMC for Plaintiff, Jay Valinsky.

[SIGNATURE FOLLOWS ON NEXT PAGE]

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
AND CORRECT.

Executed on January 30, 2024.

/s/ David P. Milian

THE MILIAN LEGAL GROUP, P.A.
1395 Brickell Avenue, Suite 800
Miami, FL 33131
Tel: (786) 808-9736
Counsel for Plaintiff, Jay Valinsky

EXHIBIT A



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0844421
David Philip Milian
The Milian Legal Group
1395 Brickell Ave Ste 800
Miami, FL 33131-2342

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **April 26, 1990**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 27th day of **January, 2024**.

A handwritten signature in black ink that reads "Cynthia B. Jackson".

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-267120

